

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN CASTRO,  
Plaintiff,

v.

JOHN DOE,  
Defendant.

Case No. [23-mc-80198-YGR \(TSH\)](#)


**ORDER VACATING REPORT &  
RECOMMENDATION RE: MOTION  
TO COMPEL**

Re: Dkt. No. 1

This matter has been referred to the undersigned to prepare a report and recommendation regarding John Castro's motion to compel compliance with a subpoena issued in *J.A. Castro v. John Doe I, et al.*, Case No. 4:23-cv-613-P, a defamation case pending in the United States District Court for the Northern District of Texas. ECF No. 1. On September 14, 2023, the undersigned issued a report and recommendation that the motion be denied without prejudice to Castro's seeking leave from the Texas court to conduct early discovery. ECF No. 25. However, since that time, Castro filed a motion for leave to conduct early discovery and, on September 19, the Texas court granted his request. ECF No. 26. Accordingly, the Court **VACATES** the September 14 report and recommendation. The undersigned shall issue a revised report and recommendation.

**IT IS SO ORDERED**

Dated: September 19, 2023

  
THOMAS S. HIXSON  
United States Magistrate Judge